

RESOLUTION NO. _____, SERIES 2009

A RESOLUTION DETERMINING THREE (3) PARCELS OF REAL PROPERTY LOCATED AT 2626 AND 2310 LAMBORNE BLVD. AND 8701 THIRD STREET ROAD, SET OUT IN EXHIBIT A ATTACHED HERETO, OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“METRO GOVERNMENT”), AND CURRENTLY USED FOR DRAINAGE AND FLOOD CONTROL, AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER TO LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (“MSD”).

SPONSORED BY: Councilwoman Vicki Aubrey Welch

WHEREAS, according to KRS 67C 101 (3)(e), Metro Government may dispose of real property owned by Metro Government; and

WHEREAS, Section 2 (C) of Executive Order No. 3, Series 2007, of the Metro Mayor, provides that Metro Government may transfer its interest in real property upon a determination by the Legislative Council of Metro Government (“the Council”) that such property is no longer needed for governmental purposes of Metro Government; and

WHEREAS, Jefferson County, Kentucky and Jefferson County Community Improvement District acquired the real property which is the subject of this resolution, set out in Exhibit A attached hereto (the “Property”), for drainage improvements and flood control; and

WHEREAS, MSD is the administering agency of Metro Government’s Floodplain Management Ordinance and has the resources to manage the Property; and

WHEREAS, the citizens of Metro Government will benefit from MSD’s ownership of the Property by reduced maintenance costs and possibly lower flood insurance premiums; and

WHEREAS, the Director of the Department of Public Works and Assets has declared and certified to the Council that the real property that is the subject of this resolution is dedicated to drainage and flood control and is otherwise surplus to the needs of Metro Government (Exhibit B).

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I. The Council determines that:

- 1) The real property that is the subject of this resolution (the “Property”) is described in Exhibit A, attached hereto; and
- 2) The Property was acquired to be used for drainage improvements and flood control and MSD will use the Property for drainage improvements and flood control; and
- 3) The citizens of Metro Government will benefit from MSD’s ownership of the Property by reduced maintenance costs and possibly lower flood insurance premiums; and
- 4) The Property shall be conveyed to MSD in fee simple, without warranty, for no monetary consideration.

SECTION II. The Mayor is hereby authorized to transfer the property named herein, according to Section 2 of Executive Order No. 3, Series 2007, of the Mayor, without further action by the Council.

SECTION III. This Resolution shall become effective upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

David W. Tandy
President of the Council

Jerry E. Abramson
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY

Michael J. O’Connell
Jefferson County Attorney

BY: _____